REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on June 29, 2007, and the references cited therewith. Claims 8, 11-15, 19-20, 30, 32, 34-37, 39-42, 44-45 are amended, and claims 10-11, 27-31, 33, and 39-45 are canceled; as a result, claims 1-9, 12-26, 32, 34-38, 46-59 are now pending in this application.

Priority

Applicant requests that the priority claim to 10/224, 268 (now issued U.S. patent 7,166,574) be deleted. A new Application Data Sheet is filed herewith and amendment to the specification is requested.

Specification

Priority claim in the specification to 10/224,268 has been deleted.

Amendments to the specification at page 23 and 42 are made to correct typographical errors. No new matter has been added.

'112 Rejection of the Claims

Claims 8-20 and 27-45 were rejected under 35 USC ' 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Applicant has amended claim 8 to recite the specific sequences from which element X is selected. Over 16 different synthetic heparin binding growth factor analogues each incorporating a different X element selected from SEQ ID NO 6-21 were synthesized and each analogue was characterized for the analogue's ability to bind to heparin. All peptides formula II peptides synthesized having a sequence selected from SEQ ID NO 6-21 bound to a heparin binding column and were eluted as described in the specification at page 35, line 19, page 36, line 13. More particularly, an analogue incorporating SEQ ID 6 at element X was synthesized and characterized to bind heparin. See specification at page 36, lines 19-25.

An analogue incorporating SEQ ID 7 at element X was synthesized as characterized to bind heparin. See specification at page 35, lines 19-page 36, line 13.

An analogue incorporating SEQ ID 8 at element X was synthesized as characterized to bind heparin. See specification at page 40, lines 9-14.

An analogue incorporating SEQ ID 9 at element X was synthesized as characterized to bind heparin. See specification at page 40, line 26-page 41, line 6.

An analogue incorporating SEQ ID 10 at element X was synthesized as characterized to bind heparin. See specification at page 41, lines 17-20

An analogue incorporating SEQ ID 11 at element X was synthesized as characterized to bind heparin. See specification at page 42, line 13-page 43, line 1.

An analogue incorporating SEQ ID 12 at element X was synthesized as characterized to bind heparin. See specification at page 43, lines 21-29

An analogue incorporating SEQ ID 13 at element X was synthesized as characterized to bind heparin. See specification at page 44, lines 14-23.

An analogue incorporating SEQ ID 14 at element X was synthesized as characterized to bind heparin. See specification at page 45, lines 15-20.

An analogue incorporating SEQ ID 15 at element X was synthesized as characterized to bind heparin. See specification at page 45,line 22-27.

An analogue incorporating SEQ ID 16 at element X was synthesized as characterized to bind heparin. See specification at page 45, line 29-page 46, line 1.

An analogue incorporating SEQ ID 17 at element X was synthesized as characterized to bind heparin. See specification at page 46 lines 3-8.

An analogue incorporating SEQ ID 18 at element X was synthesized as characterized to bind heparin. See specification at page 46, lines 10-15.

An analogue incorporating SEQ ID 19 at element X was synthesized as characterized to bind heparin. See specification at page 46, lines 17-22.

An analogue incorporating SEQ ID 20 at element X was synthesized as characterized to bind heparin. See specification at page 46, line 24-page 47, line 3.

An analogue incorporating SEQ ID 21 at element X was synthesized as characterized to bind heparin. See specification at page 47, lines 5-10.

Regarding element Y, the metes and bounds as to the linker has been further defined with the addition that Y comprises three amino hexanoic acid residues.

Regarding element Z, the metes and bounds as to the heparin binding region has been further defined with the addition that Z comprises SEQ ID NO: 2.

112 Second paragraph

Claims 8-20 and 27-45 were rejected under 35 USC ' 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner requests that Applicant more definitively state the metes and bounds of the claimed invention with respect to the number of atoms in the Y component of the analog of formula II as recited in independent claim 8. Applicant traverses the rejection as counting the number of atoms in a polypeptide sequence is within the skill set of attributed to one of ordinary skill in the peptide chemistry field. However, in order to move this application to allowance, applicant has amended the element to specify Y comprises three amino hexanoic amino acid residues.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (505-998-6134) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4213

Respectfully submitted,

Janeen Vilven, Reg. No. 47,156
Direct line (505) 998-6134

PEACOCK MYERS, P.C.
Attorneys for Applicants
Post Office Box 26927
Albuquerque, New Mexico 87125-6927
Telephone: (505) 998-6134
Facsimile: (505) 243-2542
Customer No.: 005179